

www.juridicas.unam.mx

PRESENTATION

The "third wave of democratisation" has brought about an explosion of experience, knowledge, success and failures in several countries of the different regions of the world. It is now thirty years since the start of the major wave of change in Latin America, twenty years since the fall of the Berlin Wall, fifteen years since the first universal free and fair elections in South Africa took place, and ten years since the first elections of the reform era in Indonesia were held.

These processes of democratisation have given way to the debate on the relative merits of presidential and parliamentary constitutions. Contrary to the perception that European approaches held and supported until very recently, in regard to the fact that the United States represented one of the very few existing presidential democracies, and that parliamentarian structures are better suited to provide stability and efficient results; there is increasing evidence that shows that presidential systems are as resilient to political crisis, or economic impacts as parliamentary systems.

With the aim of availing ourselves of more elements for analysis, International IDEA, and The Institute for Judicial Research of the Universidad Nacional Autónoma de México (UNAM) joined efforts and sponsored a workshop in Mexico City, in February 2008 on the topic Making Presidentialism Work. This workshop gathered a broad group of experts, scholars, lawyers, social scientists, political actors, and political consultants who are involved in the debate, and the work on political reform. Thus, representatives from thirteen presidential democracies participated in the workshop, and exchanged their views on the comparative experience of Latin America where presidential democracy is more strongly established. There were also representatives from Asia, Africa, and some European countries. In total, the participants presented 25 papers, which are compiled in this work including a report authored by Andrew Ellis and Kirsti Samuels.

The goal of this gathering was to enrich and broaden the understanding of the potential role that presidential systems play in democracy, and democratisation processes by analysing them from the perspective of comparative experiences. In addition, the workshop aimed at examining the characteristics of the institutional design in presidential systems that make this system more prone to having greater or lesser capacity to foster stable and/or efficient governments, which are oriented to favour the poor or those in greater need. Some part of the discussion was also geared towards semi-presidential systems but their performance was not analysed in depth. Furthermore, the workshop aimed at contributing to the debate on the potential State Reform in Mexico.

The comparative experience exchange revealed the need to further analyse the question of how to make presidentialism work rather than giving consideration to drastic changes of the system towards a parliamentary or semi-presidential model (with the corresponding problems and advantages associated with each) as the only option. Provided that the same type of system may behave differently under different presidents (with more or less centralised power), the possible reforms—particularly the radical reforms— must be cautiously analised. Progressive or gradual changes may represent a slower yet more reliable way to adjust the system in order to achieve the expected results. In assessing how the system will work, careful consideration needs to be given to not only the formal divisions of power as stated in the Constitution but also to the informal practices, and leadership style of the president.

A relevant topic that emerged throughout the seminar was the need to have a culture of cooperation with appropriate mechanisms between the Executive and Legislative Branches rather than having them exhibit a contentious relationship. In order to have a stable and efficient government, both branches should work together, and cooperate with each other. Likewise, a strong presidential power is not necessarily destructive by nature. It could well be constructive when used to foster deliberation, and to broaden the main circle of political negotiation. A strong president may be a figure that unites, and that represents a symbol of the State, a figure that can be a leader when legislature is split. Nonetheless, a strong president who uses power for sectarian purposes may be dangerously divisive

There still much to share and learn of the ever-increasing source of experience concerning the practice of presidential systems in the world. We

hope this work will foster discussion, reflection, understanding, and research on the topic in order to enrich democratic discourse in the diverse presidential systems. The elaboration of this work would not have been possible without the commitment and participation of a highly qualified and dedicated group of experts in each and every aspect of this complex topic. Their valuable contributions were key to achieve the expected objectives. We would like to acknowledge their contribution and express our deepest gratitude to: Dieter Nohlen (Germany); Antonio María Hernández and Daniel Zovatto (Argentina); Kirsti Samuels (Australia); Mathias Hounkpe (Benin); Virgílio Afonso Da Silva (Brazil); Carlos Huneeus (Chile); John Carey and José Antonio Cheibub (United Sates); Aquilino O. Pimentel (Phillipines); Jean-Claude Colliard (France); Etsi Yudhini (Indonesia); Tania Groppi (Italy); Manlio Fabio Beltrones, Jorge Carpizo, Ma. Amparo Casar, Santiago Creel Miranda, Carlos Navarrete, J. Jesús Orozco Henríquez, Pedro Salazar Ugarte, José Ma. Serna de la Garza and Diego Valadés (Mexico); Domingo García Belaunde (Peru); Andrew Ellis and Laurence Whitehead (United Kingdom of Great Britain); Abdou Khadre Lo (Senegal), and Juan Rial (Uruguay).

We would also like to take this opportunity to thank The Spanish Agency of International Cooperation for Development (AECID) for the financial support provided for the Seminar that serves as the basis for this publication.

Finally, we would like to express a special recognition and gratitude to Andrew Ellis and Daniel Zovatto (International IDEA), and to J. Jesús Orozco Henríquez (UNAM, IIJ) for coordinating the seminar and the present compilation. It is also very important to recognize the work of Ileana Aguilar Olivares, José María Bringas and Daniel García Barragán López in coordinating the follow up of the different stages of this work whose edition was under the responsibility of Elvia Flores and her efficient staff.

Vidar HELGESEN Secretary-General, Internacional IDEA

Héctor FIX-FIERRO Director del Instituto de Investigaciones Jurídicas de la UNAM